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Attorneys for Defendant, Howmedica Osteonics Corp

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

COLLEEN JAEGER and WILLIAM JAEGER,

Plaintiffs,

v.

HOWMEDICA OSTEONICS CORP.

Defendant.

Case No. 3:15-cv-00164-HSG

JOINT STIPULATION REGARDING
DEFENDANT HOWMEDICA OSTEONICS
CORP'S REPLY BRIEF ON MOTION TO
DISMISS PLAINTIFFS' FIRST AMENDED
COMPLAINT; DECLARATION OF JAMES
NELSON; ORDER

[Local Civ. Rule 6-2(a)]

Date: Aug. 13, 2015
Time: 2:00 p.m.
Place: Courtroom 15

Pursuant to Local Civil Rule 6-2(a), Plaintiffs and Defendant, by and through their counsel of record, hereby stipulate and agree that Defendant Howmedica Osteonics Corp shall have a four (4) day extension, up to and including July 10, 2015 to file its Reply Brief in support of its Motion to Dismiss Plaintiffs' First Amended Complaint.

1 DATED: June 22, 2015

ZOLL, KRANZ & BORGESS, LLC

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3 By: /s/ James O'Brien
James O'Brien (Admitted PHV)
4 Attorneys for Plaintiffs

5 DATED: June 22, 2015

SEDGWICK LLP

7 By: /s/ James Nelson
Mario Horwitz
8 James Nelson
9 Attorneys for Defendant, Howmedica Osteonics
Corp

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12 **ATTESTATION PURSUANT TO LOCAL CIVIL RULE 5**

13 Pursuant to Local Civil Rule 5 of the Northern District of California, I attest that
14 concurrence in the filing of this document has been obtained from the other signatory to this
15 document.

16 By: /s/ James Nelson
17 James Nelson

DECLARATION OF JAMES NELSON

I, James Nelson declare:

1. I am an attorney at law, duly licensed to practice in all of the courts of the State of California and the United States District Court for each of the Districts of California. I am employed at the law firm of Sedgwick LLP, and am one of the attorneys responsible for the representation of Defendant Howmedica Osteonics Corp in the above-entitled action. I have personal knowledge of the matters set forth herein and, if called upon to testify, could and would testify competently thereto. I submit this Declaration in compliance with Local Civil Rule 6-2(a).

2. Plaintiffs' First Amended Complaint encompasses fifty-two (52) pages, and fifteen (15) claims for relief. Defendant's Motion to Dismiss challenges each of the claims for relief on multiple legal grounds, as well as the various forms of relief that plaintiffs seek. Defendant's Motion to Dismiss consisted of twenty-two (22) pages of Points and Authorities.

3. Defendant seeks an extra four (4) days to respond to Plaintiffs' Opposition as defendant's counsel anticipates needing the extra time to adequately research and prepare the Points and Authorities to reply to plaintiffs' opposition given the number and complexity of legal issues involved. In addition, Defendant's current deadline to file its Reply brief is July 6, 2015 and that includes a legal holiday, July 3, 2015, during which counsel's office is officially closed.

4. The hearing on Defendant's Motion to Dismiss is scheduled for August 13, 2015.

5. This requested time modification will not have any effect on the schedule for this case. There has been one previous time modification in this case. The Court granted the Joint Stipulation by the parties to continue the Initial Case Management Conference from April 21, 2015 to May 5, 2015. [ECF Doc. No. 54]

I declare under penalty of perjury, pursuant to the laws of the United States, that the foregoing is true and correct. Executed on June 22, 2015 at Los Angeles, California.

/s/ James Nelson

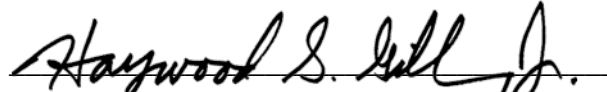
James Nelson

ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Defendant Howmedica Osteonics Corp's Reply Brief in support of its Motion to Dismiss Plaintiffs' First Amended Complaint is due on or before July 10, 2015.

DATED: June 23, 2015


The Honorable Judge Haywood S. Gilliam, Jr.
United States District Judge